

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

Case No. 18-20495

v.

Hon. David M. Lawson

Ibraheem Izzy Musaibli,

Defendant.

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Motion and Brief To Extend Hearing Dates

Ibraheem Izzy Musaibli, through his attorneys, the Federal Community Defender, moves this Court to extend the hearing date on the pending Motion for Competency Hearing (R. 50) and Motion to Change Lawyer (R. 80).

The Federal Community Defender was appointed by the court to represent Mr. Musaibli at his initial appearance on July 25, 2018. On December 16, 2019, Mr. Musaibli filed directly with the Court a Motion to Change Lawyer (R. 80). On May 27, 2020, the Federal Community Defender filed a Motion to Appoint Counsel (R. 87), requesting that the Court appoint a CJA attorney to advise Mr. Musaibli regarding he request to change lawyers. On May 28, 2020, the Court entered an Order (R. 89) granting this request. On that same date, the Court reset the hearing on Mr. Musailbli's

pending motions for June 22, 2020, to allow Mr. Musaibli time to consult with the newly appointed CJA counsel.

The Federal Community Defender has diligently sought an attorney to accept this appointment. John Shea has agreed to accept the appointment, but believes that ethically he cannot properly review the necessary portions of the discovery and advise Mr. Musaibli prior to June 22, 2020.

The interest of justice and a fair resolution of the pending motions requires an adjournment of this case until sometime after July 15, 2020, in order to allow Mr. Shea to adequately prepare to render the advice sought by Mr. Musaibli in compliance with the Court's May 28, 2020 order. Because the interest of justice outweighs both the Defendant's and the public's interest in a speedy trial this continuance is authorized by 18 U.S.C. § 3161(h)(7)(A) and the specific provisions of the Speedy Trial Act concerning delay resulting from proceedings to determine competency, 18 U.S.C. § 3161(h)(1)(A), and delay resulting from the resolution of pending motions, 18 U.S.C. § 3161(h)(1)(D).

The Government has no objection to this continuance.

Submitted,

s/James R. Gerometta
James R. Gerometta
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Dated: June 5, 2020

Certificate of Service

I certify that this Motion and Brief in Support of Appointment of Counsel was filed with the Clerk of the court using CM/ECF, which should send a copy of this filing to all counsel of record.

s/James R. Gerometta
Counsel for Ibraheem I. Musaibli